

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

RECD 20 JUN 2005

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REC

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference RL.P52728WO	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/EP2004/050889	International filing date (day/month/year) 21.05.2004	Priority date (day/month/year) 23.05.2003	
International Patent Classification (IPC) or national classification and IPC H04L29/06			
Applicant TELEFONAKTIEBOLAGET LM ERICSSON (PUBL) et al.			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> sent to the applicant and to the International Bureau a total of sheets, as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Box No. I Basis of the opinion <input checked="" type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application 			
Date of submission of the demand 22.03.2005	Date of completion of this report 20.07.2005		
Name and mailing address of the International preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Veen, G Telephone No. +31 70 340-3811		



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International application No.
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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
 - international search (under Rules 12.3 and 23.1(b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements* of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

Description, Pages

1-9 as originally filed

Claims, Numbers

1-11 as originally filed

Drawings, Sheets

1 as originally filed

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. The amendments have resulted in the cancellation of:
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - the description, pages
 - the claims, Nos.
 - the drawings, sheets/figs
 - the sequence listing (*specify*):
 - any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

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Box No. II Priority

1. This report has been established as if no priority had been claimed due to the failure to furnish within the prescribed time limit the requested:
 - copy of the earlier application whose priority has been claimed (Rule 66.7(a)).
 - translation of the earlier application whose priority has been claimed (Rule 66.7(b)).
2. This report has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rule 64.1). Thus for the purposes of this report, the international filing date indicated above is considered to be the relevant date.
3. Additional observations, if necessary:

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-11
Inventive step (IS)	Yes: Claims	
	No: Claims	1-11
Industrial applicability (IA)	Yes: Claims	
	No: Claims	1-11

2. Citations and explanations (Rule 70.7):

see separate sheet

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Re Item V.

- 1 The following documents are referred to in this communication:
- D1: EP-A-0 944 203 (NOKIA MOBILE PHONES LTD) 22 September 1999 (1999-09-22)
D2: WO 03/015360 A (MEGISTO SYSTEMS) 20 February 2003 (2003-02-20)
- 2.1 In the words of claim 1, D2 discloses (the references in parentheses applying to D2):

"A method of securely initialising subscriber and security data in a mobile routing system (page 7 line 26) when the subscribers are also subscribers of a radio communication network (page 7 lines 25-26), the method comprising:

within the mobile routing system, authenticating subscribers to the mobile routing system (page 7 line 26) using an authentication procedure defined for the radio communication network (page 7 line 25), collecting subscriber information from relevant nodes of the radio network (page 8 lines 7-8), and agreeing upon keys by which further communications between the subscribers and the mobile routing system can take place (page 7 lines 10-11); and

using said subscriber information and keys in the provision of mobility services to subscriber mobile nodes and correspondent nodes (page 8 line 28)".

Moreover, the problem the present application aims to solve (see page 2, line 20: "it is unacceptable ... to require manual work ...") is also identified in D2 (see page 17, line 8: "Provisioning and managing this data in a **non-automated** fashion presents a very large ... burden" and lines 15-17: "Typically, the shared key is pre-programmed manually. [...] This does not scale to large numbers of MNs very well").

Therefore it can be concluded that D2 discloses in combination all the features defined in independent claim 1. Hence the subject-matter of this claim is not new (Art. 33(2) PCT).

- 2.2 The same reasoning applies, mutatis mutandis, to independent claims 9, 10 and 11 which relate to the same subject-matter as claim 1 and only differ from it in respect of

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the terminology used to define said subject-matter. Therefore, these claims are also not new in the sense of Art. 33(2) PCT.

- 2.3 The dependent claims, 2-8, do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, in view of D1-D3 (Art. 33(2) and (3) PCT).